

PUBLIC HEARING – OCTOBER 19, 2015

Mayor Grenier opened the duly scheduled and advertised Public Hearing at approximately 7:30 p.m. to hear comments on the following subject matters:

- Resolution 2015-29 Accepting SAFER Grant for \$666,448 – No comments
- Resolution 2015-30 Authorize Emergency Management Performance Grant App. \$20,000 - No comments
- Resolution 2015-31 Authorize Bond Proceed Repurposing and new \$3.5M Bond – No comments

There being no one wishing to speak for or against the subject matters at this time, Mayor Grenier declared the Public Hearing portion of the meeting closed at approximately 7:31 p.m.

CITY COUNCIL MEETING – Monday, October 19, 2015

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:31 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, Morgan Allain, Gentili, Higbee, Rozek and Theberge. Councilor Nelson was absent. Also present City Manager Wheeler, Susan Tremblay, Corinne Cascadden and Barbara Tetreault.

Minutes, Previous Meeting

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the October 5 Regular Meeting/Work Session; October 12 Work Session. So moved, the motion carried.

Disbursements: Disbursement Summary Draft #1751 start date 10/6/2015 end date 10/19/2015 for a total cash disbursement of \$1,026,630.79. Councilor Theberge moved with a second by Councilor Remillard to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

PUBLIC COMMENTS - No Comments

UNFINISHED BUSINESS

1. Council Committee Reports – No Reports.
2. Resolution 2015-29 accepting a grant from the Federal Emergency Management Agency (FEMA) Staffing for Fire and Emergency Response (SAFER) grant program in the amount of \$666,448.00 for four (4) Firefighter positions for a period of two years. (tabled 10/5/2015)

Resolved by the City Council of the City of Berlin as Follows:

Whereas, the SAFER Grant provides financial assistance to help Fire Departments increase frontline firefighters, rehire firefighters that have been laid off, retain firefighters facing imminent layoffs, or fill positions that were vacated through attrition; and

Whereas, the City of Berlin is in need of filling four positions that were not filled due to severe financial constraints; and

Whereas, the City of Berlin Fire Department applied for a FEMA 2014 SAFER grant to recruit and hire four firefighters at a cost for two years equal to \$666,448.00.

Whereas, there is no match required for Federal Emergency Management Agency Staffing for Fire and Emergency Response grant program. Now Therefore Be It Resolved by the Mayor and Council of the City of Berlin that \$666,448.00 is accepted from the FEMA 2014 SAFER grant program and the grant funds are hereby appropriated to the Fire Department for the purpose of the grant. Be it further resolved that the City Manager is authorized to do all things necessary to effectuate the grant. This Resolution shall be in full force and effect from and after passage

Councilor Remillard moved with a second by Councilor Otis to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to pass the resolution. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

3. Resolution 2015-30 authorizing an application to the New Hampshire Department of Safety for Federal Emergency Management Agency (FEMA) Emergency Management Performance Grant for \$20,000 of funding for security and safety equipment at Berlin schools. (tabled 10/5/2015)

Resolved by the City Council of the City of Berlin as Follows:

Whereas, safety at the Berlin Schools is a primary concern; and

Whereas, Emergency Management Performance Grant funding is available to purchase and install equipment that will enhance the physical security and safety at the Berlin Schools; and

Whereas, the School Board has agreed that matching funds of \$20,000 will be paid from the School Department budget; and

Whereas, the City Council and School Board accept the EMPG grant agreement terms as presented. Now therefore be it resolved by the City Council of the City of Berlin, NH, that they hereby authorize an application and if awarded they accept the terms of the Emergency Management Performance Grant (EMPG) as presented in the amount of \$20,000 for the purchase of safety equipment and the City Council acknowledges that the total cost of this project will be \$40,000, of which the City through its School Department will be responsible for a 50% match of \$20,000. Be it further resolved that funds awarded shall be appropriated to the School Department for the purpose of the grant and that the City Manager is authorized to do all things necessary to effectuate the grant. This Resolution shall be in full force and effect from and after passage.

Councilor Theberge moved with a second by Councilor Otis to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Theberge moved with a second by Councilor Otis to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Theberge moved with a second by Councilor Otis to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Theberge moved with a second by Councilor Morgan Allain to pass the resolution. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

4. Resolution 2015-31 authorizing: (i) the repurposing of surplus bond funds in the amount of Four Hundred Seventy-Seven Thousand, Eight Hundred Seventy-Nine Dollars and Ninety-Seven Cents (\$477,879.97) (the "Surplus Bonds") remaining from the originally authorized Three Million Five Hundred Thousand Dollars (\$3,500,000) in Resolution 2013-08; which \$3,500,000 in bonds was authorized for the purpose of refinancing the remaining balance of the City's \$5,000,000 general obligation bonds dated January 22, 2010, as amended on April 3, 2012, in order to finance miscellaneous capital improvements, including street improvements; and (ii) the issuance of general obligation bonds in an amount of up to Three Million Five Hundred Thousand Dollars (\$3,500,000.00) for the purpose of financing street improvements; with such bonds to be issued through the New Hampshire Municipal Bond Bank, through a private placement with a financial institution or sold on the public market based on the most favorable terms and conditions as determined by the City. (tabled 10/5/2015) Resolved by the City Council of the City of Berlin as Follows:

Whereas, on November 2, 2009, the Mayor and City Council of Berlin passed Resolution 2009-43 authorizing the issuance of general obligation bonds in an amount up to Five Million Dollars (\$5,000,000) to fund various capital improvement projects and acquisitions, a portion of which total amount included One Million Dollars (\$1,000,000) for street improvements; and

Whereas, on January 22, 2010, the City issued it \$5,000,000 general obligation bonds to the Bank of New Hampshire (the "Bank of New Hampshire Bond") to finance such capital improvement projects and acquisitions, which bond was amended on April 3, 2012; and

Whereas, the Mayor and City Council of Berlin subsequently modified the original bond allocations in Resolution 2009-43 in City Council Resolutions 2010-10, 2010-11, 2010-27R1, 2010-42, 2013-08 (resolution authorizing the refinancing of the Bank of New Hampshire Bond) and 2013-15 (collectively, the "Modification Resolutions"), and

Whereas, on July 18, 2013, the City issued its \$3,971,500 general obligation bonds through the New Hampshire Municipal Bond Bank (the "Bond Bank Bonds") in order to refinance the remaining balance of the Bank of New Hampshire Bond and to issue \$1,000,000 of new money for the purpose of financing street improvements; and Whereas, the resulting allocations from the Modification Resolutions were:

1.	Sidewalk Repair	\$ 55,000
2.	Retaining Wall Repair	\$ 90,000
3.	Hutchins St. Realignment	\$1,200,000
4.	Street Improvements	\$1,000,000
5.	Bridge Inspection/Repair	\$ 750,000
6.	FD Alarm Console Rep.	\$ 50,000
7.	FD Telephone Replacement	\$ 12,000
8.	Housing Initiative	\$ 200,000
9.	IT Initiative	\$ 52,675
10.	Route 110 Phase 2	\$1,600,000
11.	PD Cates Hill Wireless	\$ 15,000
12.	PD Men's Bathroom	\$ 12,000
13.	PWD Equipment Repl.	\$ 330,000
14.	Rec. Equip. Replacement	\$ 36,000
15.	School Bus Replacement	\$ 170,000
16.	School BJHS Window Repl.	\$ 27,185
17.	School Brown Window Repl.	\$ 27,185
18.	<u>School Brown Boiler Repl.</u>	<u>\$ 370,000</u>
	Total	\$5,997,045

Whereas, many of the aforementioned projects have been completed, the following are the actual amounts spent or the amounts planned to be spent on such projects;

1	Sidewalk Repair	\$ 34,019.38
2	Retaining Wall Repair	\$ 89,689.75
3	Hutchins St. Realignment	\$ 9,060.00
4	Street Improvements	\$1,000,000.00
5	Bridge Inspection/Repair	\$ 533,522.43
6	FD Alarm Console Rep.	\$ 50,000.00
7	FD Telephone Replacement	\$ 9,974.36
8	Housing Initiative	\$ 200,000.00
9	IT Initiative	\$ 52,675.00
10	Route 110 Phase 2	\$2,577,754.21
11	PD Cates Hill Wireless	\$ 15,000.00
12	PD Men's Bathroom	\$ 11,551.95
13	PWD Equipment Repl.	\$ 291,214.76
14	Rec. Equip. Replacement	\$ 36,000.00
15	School Bus Replacement	\$ 158,615.00
16	School BJHS Window Repl.	\$ 27,185.00
17	School Brown Window Repl.	\$ 21,755.00
18	School Brown Boiler Repl.	\$ 369,630.00
19	<u>Bank and Legal Fees</u>	<u>\$ 31,518.19</u>
	Total	\$5,519,165.03

Whereas, the authorized amount of \$5,997,045 minus the amount actually spent or to be spent of \$5,519,165.03 equals the Surplus Bonds amount of \$477,879.97; and

Whereas, the City Council desires to allocate the Surplus Bonds in its entirety to street improvements in accordance with RSA 33:3-a, which Surplus Bonds shall be added to the already existing \$1,000,000 allocation for street improvements to equal a total sum for street improvements of \$1,477,879.97; and Whereas, with such repurposing of the Surplus Bonds, the final allocations for these projects will be:

1.	Sidewalk Repair	\$ 34,019.38
2.	Retaining Wall Repair	\$ 89,689.75
3.	Hutchins St. Realignment	\$ 9,060.00
4.	Street Improvements	\$1,477,879.95
5.	Bridge Inspection/Repair	\$ 533,522.43
6.	FD Alarm Console Rep.	\$ 50,000.00
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17.	School Brown Window Repl.	\$ 21,755.00
18.	School Brown Boiler Repl.	\$ 369,630.00
19.	<u>Bank and Legal Fees</u>	<u>\$ 31,518.19</u>
	Total	\$ 5,997,045

Whereas, the City requires additional funding for street improvements and the City desires to issue general obligation bonds in an amount of up to Three Million Five Hundred Thousand Dollars (\$3,500,000). Now therefore, be it resolved that the Mayor and City Council hereby authorize and approve (i) the repurposing of the Surplus Bonds originally authorized in Resolution 2013-08, as amended, in the amount of Four Hundred Seventy Seven Thousand Eight Hundred and Seventy Nine Dollars and Ninety Seven Cents (\$477,879.97) for street improvements and (ii) the issuance of new money general obligation bonds in the amount of up to Three Million Five Hundred Thousand Dollars (\$3,500,000) for the purpose of street improvements with such bonds to be issued through the New Hampshire Municipal Bond Bank, through a private placement with a financial institution or sold on the public market based on the most favorable terms and conditions as determined by the City. Be it further resolved that the bonds shall be sold to the selected purchaser at the par value thereof (plus any applicable premium) subject to and upon the terms and conditions set forth in a Loan Agreement (the "Loan Agreement") by and between the City and the purchaser including those terms pertaining to the interest rate, payment terms and maturing of the bonds; Be it further resolved that the City Manager and Treasurer are hereby authorized to execute and deliver the Loan Agreement and any and all documents or to take any other actions necessary to effectuate this Resolution; Finally, be it further resolved that repurposed proceeds from the bonds originally authorized in Resolution 2009-43 and subsequently amended and new proceeds authorized in this Resolution are hereby appropriated for street improvements and tax deeded building demolition work. This Resolution shall be in full force and effect from and after passage.

Councilor Remillard moved with a second by Councilor Otis to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to pass the resolution. Roll call, all yes. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

NEW BUSINESS

5. Resolution 2015-32 appropriating Two Hundred Thousand Dollars (\$200,000) to fund the City's Housing Initiative to include demolition in Fiscal Year 2016. (1st read)

Councilor Theberge moved with a second by Councilor Otis to table the resolution and schedule a public hearing on November 2. So moved, the motion carried.

6. Resolution 2015-33 appropriate Fifty-Two Thousand, Eight Hundred Eleven Dollars and Four Cents (\$52,811.04) Dollars of "Primex Premium Holiday" funds to the School Department (1st read)
Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing on November 2. So moved, the motion carried.

7. City Manager's Report

1. Work Camp New England will be making another stop in Berlin. Teens from youth groups from all over the country come to serve those in need in various locations throughout the North East by making home improvements for those in need.
2. Public Works Citizens Academy was held Wednesday, October 14 and about 30 people were in attendance at the Public Works Garage. They heard Public Works Director Mike Perreault talk about his department and the work that they do on pot holes, plow routes, sanitary sewer lines and other work. Citizens got an overview of what the department is responsible for and was introduced to the department's service request system. The next "class" for the Citizens Academy is the Police Department to be held Wednesday October 21st at the Recreation Center. It will include a tour of the Police Department.
3. The City opened bids for nine properties on Wednesday October 7. Unfortunately only three properties sold; they were 801 Third Avenue, 49 Jasper Street and 67 Pershing Avenue. There is a bid out to sell 99 Pine Island Avenue due October 22. Demolition bids are out on 32 Corbin St., 108 High Street, 79 Seventh Street and 466 Burgess Street. These bids are due October 22 and the work will be completed shortly thereafter.
4. Pike Industries is scheduled to complete paving on Cates Hill Road and other streets during the first week of November.
5. Attached is an email from Dan Caouette of NHDOT. Mr. Caouette has informed the City that the final wearing course on Rte. 110 will be placed after the winter season. Following the final wearing course, the project will be fully striped. Most other works will be completed this Fall.
6. Recently, the Fire Department's Engine 4 was taken out of service due to issue with the engine's frame. The department keeps an older engine, engine 2 on standby as a backup piece of equipment. Engine 4 will be able to be repaired and returned to service for a period of time, however, replacement of this 20 year old piece of equipment will become a priority in the near future.
7. On October 7, 2015 I was given a tour of the newly constructed wind farm on Jericho Mountain. The towers, blades and generators include the most recent technology. One of the newest features include small structures that are placed in specific locations on the blades that make power generation more efficient.

Councilor Theberge asked when the wind towers will be put on line. According to the City Manager, they are working on it now but hoped to get it going last week. There is no specific date.

Councilor Rozek inquired about the late paving scheduled just before the snow plows go out and asked what it takes so paving could be a priority earlier in the year. Last year it was done by June or July. It was a priority last summer but now they are back to the old way and he is not sure why that happens. The City Manager replied there are not enough hours to do the volume of work needed to be done by that department.

Mayor Grenier added that the extra money we got for paving was not there until the last week of August so it was a side contract to take care of Landry Street and Cates Hill this year.

Councilor Rozek would like to discuss paving earlier next year. He then asked about the Route 110 Project and what was the original date it was supposed to be wrapped up this year. The City Manager replied they he would need to look at the contract or look at the DOT.

Regarding the Fire Department's Engine 4 being taken out of service due to an issue with the engine's frame, Councilor Rozek suggested that we look to get used Fire Department equipment to use as replacement parts. Other larger cities must use some type of fire equipment yard to find replacement pieces. The City Manager said he could put out a request for new and used equipment that could be used for back-up parts.

Councilor Theberge asked if the paving is done on Cates Hill yet. The City Manager said they are just shimming and should be able to get that work done this year.

Councilor Rozek moved with a second by Councilor Higbee to accept the City Manager's Report and place it on file. So moved, the motion carried.

8. Mayor's Report

Board of Assessor Appointment: Mayor Grenier nominated Pierre J. Morin to fill Robert Pelchat's unexpired term set to expire March 31, 2016. Councilor Rozek moved with a second by Councilor Higbee to accept the Mayor's nomination of Pierre Morin to the Board of Assessors. So moved, the motion carried.

Proclamation: Extra Mile Day on November 1.

Councilor Rozek moved with a second by Councilor Higbee to accept and file the Mayor's Report. So moved, the motion carried.

9. Public Comments – No comments

10. Council Comments - No comments

11. Adjournment: There being no further business before the Mayor and Council, Councilor Rozek moved with a second by Councilor Theberge to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting closed at approximately 8:08 p.m.

A True Record, Attest:
Debra A. Patrick, CMC
City Clerk